

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

KATRINA WITHERS

PLAINTIFF

v.

No. 5:12CV123 KGB

ARKANSAS DEPARTMENT OF CORRECTION;  
WARDEN STEPHEN WILLIAMS,  
in his official and personal capacities;  
ASSISTANT WARDEN TOMMY JAMES,  
in his official and personal capacities;  
CAPTAIN RONALD BAILEY,  
in his official and personal capacities;  
SERGEANT UNKNOWN FIRST NAME MAPLES,  
in his official and personal capacities;  
LIEUTENANT DAVID KNOTT,  
in his official and personal capacities;  
ARKANSAS DEPARTMENT OF CORRECTION  
BOARD OF CORRECTIONS;  
BENNY MAGNESS, in his official and personal capacities;  
MARY PARKER, in her official and personal capacities;  
BOBBY GLOVER, in his official and personal capacities;  
DREW BAKER, in his official and personal capacities;  
TYRONNE BROOMFIELD, in his official and personal capacities;  
JOHN FELTS, in his official and personal capacities; and  
JANIS WALMSLEY, in her official and personal capacities

DEFENDANTS

JUDGMENT

Judgment is entered consistent with the Court's Opinion and Order of this day. Plaintiff Katrina Withers's claims under the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. § 4301 *et seq.*, and Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 *et seq.*, as against all defendants are dismissed. The Court declines to exercise jurisdiction over Ms. Withers's claims under the Arkansas Civil Rights Act, Ark. Code Ann. § 16-123-101 *et seq.* ("ACRA"). The period of limitations on Ms. Withers's ACRA claims is tolled under 28 U.S.C. § 1367(d) for 30 days after entry of this judgment, unless Arkansas gives a longer tolling period.

DATED this 29<sup>th</sup> day of March, 2013.



---

Kristine G. Baker  
United States District Judge